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OFFICE OF PETITIONS

In re Application of :
Chung Hsien Hsin : DECISION ON RENEWED PETITION
Application No. 10/621,963 : PURSUANT TO
Filed: July 16, 2003 : 37 C.F.R. § 1.137(B)
Attorney Docket Number: 2011123 :
Title: IMAGE SENSOR AND METHOD :
FOR MANUFACTURING THE SAME :
:

This is a decision on the renewed petition filed April 16, 2007, pursuant to 37 C.F.R. § 1.137(b)¹, to revive the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. § 1.113 in a timely manner to the final Office action mailed May 11, 2005, which set a shortened statutory period for reply of three months. On August 2, 2005, Petitioner attempted to submit a terminal disclaimer,

¹ A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

but this submission was not accepted by the Examiner, as the attorney was not of record. Consequently, an advisory action was mailed on August 15, 2005. No further submissions were received, and no extensions of time under the provisions of 37 C.F.R. § 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on August 12, 2005.

On January 17, 2006, a petition pursuant to 37 C.F.R. § 1.181(a) was submitted, along with a Power of Attorney. The petition was dismissed via the mailing of a decision on April 21, 2006.

An original petition pursuant to 37 C.F.R. § 1.137(b) was filed on June 26, 2006, and was dismissed via the mailing of a decision on February 16, 2007.

It is noted that this renewed petition has not been executed.

37 C.F.R. § 10.18(a) sets forth, *in toto*:

For all documents filed in the Office in patent, trademark, and other non-patent matters, except for correspondence that is required to be signed by the applicant or party, each piece of correspondence filed by a practitioner in the Patent and Trademark Office must bear a signature, personally signed by such practitioner, in compliance with § 1.4(d)(1) of this chapter.

Since **this renewed petition has been submitted without a signature**, the petition cannot be processed.

For this reason, this renewed petition under 37 C.F.R. § 1.137(b) must be **DISMISSED**.

Any reply must be submitted within **TWO MONTHS** from the mail date of this decision. Extensions of time under 37 C.F.R. § 1.136(a) are permitted. The reply should include a cover letter entitled "Second Renewed Petition Under 37 C.F.R. § 1.137(b)." This is not a final agency action within the meaning of 5 U.S.C. § 704.

The renewed petition should indicate in a prominent manner that the attorney handling this matter is Paul Shanoski, and may be submitted by mail², hand-delivery³, or facsimile⁴. Registered users of EFS-Web may alternatively submit a response to this decision via EFS-Web⁵.

2 Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

3 Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA, 22314.

4 (571) 273-8300- please note this is a central facsimile number.

5 <https://sportal.uspto.gov/authenticate/authenticateuserlocalepf.html>

If responding by mail, Petitioner is advised not to place the undersigned's name on the envelope. Only the information that appears in the footnote should be included - adding anything else to the address will delay the delivery of the response to the undersigned.

Telephone inquiries **regarding this decision** should be directed to the undersigned at (571) 272-3225⁶. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanoski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

6 Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.